

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: ~~12-10-71~~ by plaintiff  
1-7-72 - pltf.  
2-24-72 - pltf.  
12-12-72 granted.

D. C. Form No. 106A Rev.

## TITLE OF CASE

## ATTORNEYS

WANDA L. RODGERS

VS

THE TRAVELERS INSURANCE CO., a corporation

## For plaintiff:

597-1168  
Jay C. Baker, Jim Khourie  
Mayo Building  
Tulsa, Oklahoma 74103

## For defendant:

Thomas R. Brett  
1700 4th Natl Building  
Tulsa, Oklahoma 74119

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 11-1-71	Clerk	1971 10-5 10-6	Brett CD 17	15 00	15.00
J.S. 6 mailed 2-1-72	Marshal				
Basis of Action: collection of insurance policy	Docket fee				
	Witness fees				
Action arose at: Tulsa Co.	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-4-71	Petition for Removal from District Court of Tulsa County, Okla, filed. ds	
10-4-71	Bond on Removal, filed. The Travelers Insurance Company, principal, in the sum of \$500.00; The Travelers Indemnity Company, Surety. ds	
10-4-71	Notice, filed. ds	
10-4-71	Proof of filing, filed. ds	
10-4-71	Defendant's Answer, filed. ds	
11-2-71	Deposition of Wanda L. Rodgers on behalf of deft., filed. (\$84.00)g	
12-8-71	Parties directed to hold pre-trial prior to 1-12-72 and file pre-trial order not later than 1-19-72. (AEB-J)m	
12-10-71	Demand for jury trial by plaintiff, filed. ds	
	Motion for relief from waiver, filed. ds	
12-20-71	Deposition of Joe A. Whiteley and Otta O. Rahill, for defendant, taken by Hayden M. Addington, CSR, at Oklahoma City, Okla, filed. ds. (\$62.70 pd by defendant)	
12-27-71	Objection to Demand for Jury Trial by the Deft., with Brief as a part of the Pleading, filed. v <i>Marion has original filed - to submit to p. v.</i>	
12-28-71	Order overruling Plaintiff's Demand for Jury Trial, filed. (AEB-J)v <i>copies mailed</i>	
1-7-72	Application by pltf. for relief to file demand for jury trial out of time, with brief as part of pleading, filed. rm	
1-7-72	Ordered by the court that def. file responsive brief within 10 days to pltf.'s application for relief to file demand for jury trial out of time. rm <i>Parties notified</i>	
1-7-72	Deposition of Daniel R. Storts, M. D., taken by Frank Peterson, CSR, filed. (\$29 pd. by def.) rm	
1-13-72	Response to New Application for Leave to File Demand for Jury Trial out of Time, filed. v	
1-18-72	Pre-Trial Order, filed. (AEB-J)v	
1-21-72	Application for authority to serve subpoena out of district, filed. ds <i>order to judge</i>	
1-25-72	Order granting plt. permission to serve subpoena out of district (AEB-J) rm <i>copies in book</i>	
2-10-72	Pltf.'s supplemental authority in support of demand for jury trial, filed. rm	
2-23-72	Motion of the Deft. for Summary Judgment, filed. v	
2-23-72	Memorandum Brief of Deft., filed. v	
2-23-72	Ordered by the Court that the Plaintiff is granted 10 days from this date to respond to Defendant's Motion for Summary Judgment. (AEB-J)v	
2-24-72	Pltf.'s demand for jury trial, filed. g	
2-24-72	Pltf.'s response to motion for summary judgment, filed. g	
2-24-72	Pltf.'s trial brief, filed. g	
3-28-72	Deposition of Dr. Gary K. Goforth, on behalf of the Deft., taken on March 10, 1972, before Frank L. Peterson, <del>XXXXXXXXXXXXXXXXXXXX</del> with fees for the original \$50.40, filed. v	
4-21-72	Ordered that Magistrate conduct hearing on deft's motion for S/J. (AEB-J)hm	
4-21-72	Case called for hearing on deft's motion for S/J. Motion overruled and pltf. counsel to prepare findings & recommendations in 5 days. (MLB-Mag)hm	
5-10-72	It is ordered by the Court that Plaintiff's Demand for Jury Trial is Overruled, same being not timely filed. It is further ordered that case will be set on the next Non-Jury Docket. (AEB-J)v <i>mailed</i>	
5-11-72	Findings and Recommendations of Magistrate, filed, that deft's motion for S/J should be overruled. (MLB-Mag)hm (copies mailed)	
6-2-72	Order overruling def.'s mo. for SJ. (AEB-J)rm - copies mailed	

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-11-72	Plaintiff's motion in limine (for ruling on definition of "Total disability"), filed. g	
7-11-72	Memorandum brief in support of motion in limine, filed. g	
8-23-72	Ordered that Magistrate conduct hearing on pltf's motion in limine. (AEB-J)hm	
8-23-72	Hearing held on pltf's motion in limine. It is recommended that motion be overruled & deft. to prepare findings & recommendations within 5 days. (MLB-Mag)hm	
8-24-72	Findings and recommendations of magistrate, filed. (MLB-Mag)hm	
9-8-72	Order, that plaintiff's motion in limine be overruled, filed. (AEB-J) ds	
9-18-72	It is ordered that this case is set for Non-Jury trial on Tues, Oct. 10, 1972 at 10:00 am. (AEB-J)h	
9-27-72	Case stricken from n/j docket of Oct. 10, 1972 to be reset at later date. (AEB-J)h	
11-14-72	Case set for N/J trial on <del>Tues</del> <sup>Wed.</sup> , Dec. 6, 1972 at 10:00am. (AEB-J)h	
11-29-72	Subpoenae, ret. & filed: served Dr. Gary K. Goforth and Dr. Armen Marouk, Tulsa, Ok. 11-28-72. (USM \$5.80)g	
12-6-72	Marshal's return on subpoena, filed. Served Wm. Halvorsen in Webb City, Mo. by serving wife on 11/29/72. (USM \$19.32) rm	
12-6-72	Marshal's return on subpoena, filed. Served Dr. Hickman in Tulsa on 12-1-72. (USM \$2.24) rm	
12-8-72	Non/jury trial passed to Tues. Dec. 12, 1972 at 10:00 am. (AEB-J)h	
12-12-72	It is ordered by the court that plaintiff is granted a jury trial, and case stricken from non-jury docket of this date, and passed to the next civil jury docket. (AEB-J)h	
1-5-73	Deposition of Robert Phillips on behalf of deft., filed. g	
1-12-73	Ordered by the Court that this case is set for JURY TRIAL on February 6, 1973, at 10:00 A.M., before Allen E. Barrow, Judge. (AEB-J)v	
1-15-73	Plaintiff's request for production of documents and other data, filed. ds	
1-23-73	Dismissal with prejudice, filed and entered. (AEB-J)r (Copies mailed)	

DATE	PROCEEDINGS	Date Order or Judgment Noted